

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN THE MATTER OF:)	No. B-10-81228 C-13D
Troy L. Cockerham, Jr.)	
Alida J. Cockerham)	
)	
Debtor(s))	

ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY

On August 13, 2010, a hearing was held on Motion by Bank of America (“Movant”) pursuant to 11 U.S.C. §362 to modify the automatic stay entered in this case to permit the Movant to foreclose upon its lien and security instrument on the Debtors’ 2005 Coachman (“the automobile”). At the hearing, Edward C. Boltz, Esq. appeared on behalf of the Debtors, and Benjamin E. Lovell, Esq. appeared on behalf of the Standing Trustee and stated to the Court he had been informed by counsel that all matters in controversy had been settled. The Court, after considering the Motion and having heard and considered the statements of the attorney for the Trustee, finds that the interests of the Movant are not adequately protected and that the Motion should be granted; therefore, by and with the consent of the parties, it is ORDERED:

1. The Motion of the Movant for relief from the automatic stay pursuant to 11 U.S.C. §362 is granted.
2. The stay is modified to permit the Movant to repossess the automobile and foreclose under its security agreement.
3. The Movant shall have 120 days from the entry of this Order within which to file a documented deficiency or administrative claim with the Chapter 13 Office and failure to file any documented claim within said time will result in the release of the automobile being in full satisfaction of the indebtedness due the Movant.
4. The stay of this Order under Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is not applicable.

PARTIES IN INTEREST

**Page 1 of 1
10-81228 C-13D**

Troy L. Cockerham, Jr.
Alida J. Cockerham
901 Delray St.
Durham, NC 27713

John T. Orcutt, Esq.
6616-203 Six Forks Rd.
Raleigh, NC 27615

Richard M. Hutson, II
Standing Trustee
PO Box 3613
Durham, NC 27702

Cindy G. Oliver, Esq.
PO Box 10349
Raleigh, NC 27605